



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JAN 11 2002

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**OSEP 02-02**

**MEMORANDUM**

**To:** State Directors of Special Education and State Data Managers

**From:** Patricia J. Guard *Patricia J. Guard*  
Acting Director  
Office of Special Education Programs

**Subject:** Biennial Performance Report for Part B of the Individuals With Disabilities Education Act (Part B) for the Grant Years July 1, 1999 through June 30, 2000 and July 1, 2000 through June 30, 2001

Pursuant to Education Department General Administrative Regulations (EDGAR), at 34 CFR §80.40, the State education agency in each State is required to submit a Performance Report on the State's use of Federal funds. The Secretary has determined that the Part B Performance Report shall be submitted every other year to coincide with requirements to report to the Secretary and the public on the progress of the State, and of children with disabilities in the State, toward meeting the performance goals and indicators established by the State. EDGAR requires that the Biennial Performance Report be submitted within 90 days after the close of the Federal fiscal year, unless a justified request is submitted by a grantee, at which time the Federal agency may extend the due date for the Biennial Performance Report (34 CFR §80.40).

On August 3, 2001, the Council of Chief State School Officers (CCSSO), on behalf of the Education Information Advisory Committee, made a recommendation that the Office of Special Education Programs (OSEP) set a submission date of May 31, 2002, for the Biennial Performance Report that covers the July 1, 1999 through June 30, 2000 and July 1, 2000 through June 30, 2001 grant years. In response to the CCSSO recommendation, the Secretary has determined that this Biennial Performance Report will be submitted no later than May 31, 2002. The Biennial Performance Report must address the items contained in the general instructions. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on the various tables.

This information is used by this Office for a variety of purposes, including ongoing monitoring of the implementation of Part B of the Individuals with Disabilities Education Act (IDEA), background in preparation for OSEP monitoring, data for the Annual Report to Congress on the implementation of the IDEA, data addressing the Part B performance indicators that accompany the Department's annual budget proposal, responses to Congressional inquiries, and determining the need for revisions to the State's State Improvement Grant, if the State is a grantee. Measures received from States will not always be strictly comparable even though specific guidance is provided in the general instructions.

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*Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation.*

The goals and performance indicators that States report in this Biennial Performance Report should be used in the development and/or planning for their Federal Part B Continuous Improvement Monitoring Process self-assessments and improvement plans.

Please submit an original and three copies of the Report to:

Larry Wexler  
Deputy Director  
Monitoring and State Improvement Planning Division  
Office of Special Education Programs  
U.S. Department of Education  
Mary E. Switzer Building  
330 C Street, SW, Room 3630  
Washington, DC 20202-2640

The submission requirements for the Biennial Performance Report, with each table, can be accessed at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. If you have any further questions about the Biennial Performance Report, please contact your Part B State Contact.

Enclosures

cc: Federal Resource Center  
Regional Resource Centers